IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA **DANVILLE DIVISION**

NOV 2 0 2013

UNITED STATES OF AMERICA

Case No. 4:05-cr-00011-1

v.

ORDER

WILLIE JUNIOR MCCAIN,

Petitioner.

By: Hon. Jackson L. Kiser

Senior United States District Judge

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED

that Petitioner's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is DISMISSED without prejudice as successive, a certificate of appealability is DENIED, and the action is STRICKEN from the active docket.

The Clerk shall send a copy of this Order and the accompanying Memorandum Opinion to Petitioner and counsel of record for the United States.

day of November, 2013. ENTER: This